

### **DETAILED ACTION**

1. Applicant's arguments, see Remarks, filed 02/21/2011, in light of amendments filed 02/21/2011, have been fully considered and are persuasive. Therefore, the following have been withdrawn:

- a) Objection to claims 1 and 9
- b) Objection to the drawings
- c) Rejection of claims 1 and 9 under 35 USC 112, 1st ¶
- d) Rejection of claims 7, 8 and 10 under 35 USC 112, 2nd ¶

### ***Election/Restrictions***

2. Applicant's election without traverse of Group I, claims 1-19 in the reply filed on 5/26/2011 is acknowledged.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony Del Zoppo on July 15, 2011 – see attached interview summary.

The application has been amended as follows:

**Claim 1 (Amended):**

A data processing device for registration of a first image of an object, which first image was obtained with a first imaging method having a second image of the object, which second image was obtained with a second imaging method different from the first imaging method, wherein the data processing device is equipped for executing the following steps:

a) generating a first transformed image from the first image, in which characteristic image features of the first imaging method are reduced or characteristic image features of the second imaging method are intensified, **where the first**

**transformed image and the first image are different images;**

b) generating a second transformed image from the second image, in which, optionally characteristic image features of the second imaging method are reduced and optionally, characteristic image features of the first imaging method are intensified,

**where the second transformed image and the second image are different images,**

where areas of at least one of the transformed images are masked and where at least one of the imaging methods does not supply reliable information; and

c) registering the transformed images.

**Claim 6 (Amended):**

A data processing device as claimed in claim 1, where an imaging method that does ~~not~~ supply reliable information is an imaging method not performed in real time

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and where an imaging method that does not supply reliable information is an imaging method performed in real time.

**Claim 9 (Amended):**

A method, comprising:

generating a first transformed image from ~~the~~ a first image obtained from a first imaging method;

generating a second transformed image from a second image obtained for a second imaging method, where characteristic image features of the first imaging method are reduced in the first transformed image or characteristic image features of the second imaging method are intensified in the first transformed image, where characteristic image features of the second imaging method are reduced in the second transformed image or characteristic image features of the first imaging method are intensified in the second transformed image, where the first transformed image and the first image are different images, where the second transformed image and the second image are different images, and where the first imaging method and the second imaging method are different imaging methods; and

registering the first transformed image and the second transformed image.

**CANCEL Claim 20**

***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

Claims 1 and 9 are allowable because, prior art of record taken alone or in combination, fails to disclose or render obvious a device or method for registering a first and second transformed image, the method comprising generating a second transformed image from a second image obtained for a second imaging method, where characteristic image features of the first imaging method are reduced in the first transformed image or characteristic image features of the second imaging method are intensified in the first transformed image, where characteristic image features of the second imaging method are reduced in the second transformed image or characteristic image features of the first imaging method are intensified in the second transformed image, where the first transformed image and the first image are different images, where the second transformed image and the second image are different images, and where the first imaging method and the second imaging method are different imaging methods, in combination with the rest of the limitations of claims 1 and 9.

Claims 2-19 are allowable because they are dependent on claim 1 or claim 9 or an intermediate claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS CONWAY whose telephone number is (571)270-5851. The examiner can normally be reached on Monday through Friday 8AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2624

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Primary Examiner, Art Unit 2624